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C O N F I D E N T I A L DAMASCUS 000604

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DEPARTMENT FOR NEA/ELA, DRL/NESCA
PARIS FOR NOBLES, LONDON FOR LORD

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TAGS: [PHUM](#) [PGOV](#) [PREL](#) [KDEM](#) [KMPI](#) [KPAO](#) [SOCI](#) [SY](#)
SUBJECT: DISBARMENT HEARINGS BEGIN FOR JAILED HUMAN RIGHTS
LAWYER

REF: A. DAMASCUS 00534
[1](#)B. 08 DAMASCUS 00757

Classified By: CDA Charles Hunter for reasons 1.4 (b) and (d)

[1](#)1. (C) Summary: Civil society activists, lawyers, journalists, and diplomats packed the narrow halls of the Damascus Lawyers' Syndicate offices on August 18 for the Syndicate's first administrative hearing to disbar human rights lawyer Muhanad al-Hasani. The hearing, which was not opened to the public despite initial assurances from the Syndicate that it would be, reportedly questioned Hasani on three issues: (1) operating an NGO without a license; (2) spreading false information; and (3) observing and reporting on the Syrian State Security Court without official cause, according to his lawyers. Lawyers also informed us Hasani's living conditions at Adra prison were extremely difficult. Hasani's brothers, who also attended the hearing, expressed the family's desire for the U.S. and European nations to raise his case with the SARG discretely. The family explicitly told us they did not want a public statement. End Summary.

Background

[1](#)2. (U) Membership in the Damascus Lawyers' Syndicate, which falls under the administrative authority of the Syrian Lawyers Union, is an essential requirement for any practicing attorney in the city. The syndicate defines itself as a professional organization that believes in the "unity, freedom, and socialist goals of the Arab nation," and is committed to achieving them "according to the principles and decisions of the Baathist Arab Socialist Party and its directives."

[1](#)3. (C) The GID arrested Hasani on July 28 (ref A), at which time he was interrogated by, among others, the GID's number two officer, Zuher Hammad, according to Damascus Declaration activist Fawaz Tello (strictly protect). Following Hasani's imprisonment, the Syndicate initiated disbarment proceedings on August 11. The Syndicate also limited his representation to three lawyers, despite the defendant's request for more. They are: Hassam Abdul Azim (also Secretary General of the Arab Socialist Union), Haitham Mahle, and Radeef Mustafa (a Kurdish activist and President of the Kurdish Committee for Human Rights). The Syndicate's refusal to allow additional legal counsel was, more than one local contact asserted,

inconsistent with Syrian law.

The Common Criminal Treatment

¶4. (C) Police escorted Muhanad al-Hasani, who was in cuffs and prison blues, into a closed-chamber session of the Damascus Lawyers' Syndicate on August 18. The lawyer and elected head of the Syndicate, Jihad Laham, presided over the hearings. Radeef Mustafa told us he, Azim, and Mahle protested the undignified manner in which Hasani was presented to the Syndicate and demanded he be allowed to appear before the Syndicate in a suit at future hearings. Syndicate representatives reportedly shrugged off the request, pointing out such decisions came from Adra prison officials, not themselves.

Diplomatic Representation

¶5. (C) Diplomatic representatives from the U.S., Norway, Sweden, France, the EU Commission, Finland, Spain, Poland, and the Netherlands waited outside the chamber doors throughout the two-hour hearing. Norwegian, French, Swedish, and EU representatives told us they were keen for Hasani to witness the level of international interest in his case. When the hearing finally ended, plain-clothed security agents guarding the doors asked everyone to leave, but the crowd quietly ignored their demands. As the police emerged with Hasani in tow, leading him through a tight gauntlet of

observers and well-wishers, the crowd broke out into applause with cheers of support.

Charges & Prison Conditions

¶6. (C) After the hearing, his lawyer Radeef Mustafa quickly briefed the diplomatic crowd on the issues raised against Hasani. The Syndicate questioned Hasani on his work with the Syrian Organization for Human Rights (SWASIAH), and why he had persisted in operating it without a license. The Syndicate also probed his observation of SSSC trials when he had no official role to play in the proceedings. (Note: Hasani regularly issued statements on the results of the SSSC in connection with his work with SWASIAH.) Finally, the Syndicate argued Hasani had, through his various published statements, spread false information aimed at weakening the regime. His lawyers said the next hearing, which will also be closed to the public, would convene in a week's time.

¶7. (C) Hassam Azim informed the group that Hasani suffered terrible prison conditions. He slept on the floor of a small, overcrowded cell. Prison guards had beaten him after catching him using another inmate's cellphone. The one vaguely positive note on Hasani's situation was that fellow prisoner of conscience and Damascus Declaration National Council member Akram al-Bunni (ref B) reportedly shared the same cell.

The Hasani Family's Request

¶8. (C) Hasani's four brothers, visibly distressed with the unfolding events, confirmed the family's desire for the international community to raise his situation discreetly with SARG officials. According to the brothers, Hasani's mother still did not know he was incarcerated. In fact, Hasani had called her from prison, according to a family friend, and told her he was in Beirut. The brothers felt the truth of Hasani's plight would overwhelm their elderly and infirm mother.

¶9. (C) Comment: Disbarring Hasani is an overt attempt to

humiliate him professionally. Its symbolism is weighty and sharply felt by legal colleagues in the activist community. Hasani's father was a highly regarded Damascene lawyer, a Syndicate member, and at one time the Syrian representative to the Arab Lawyers' Union. Hasani's high profile suggests the decision to arrest him may have come from very high within SARG officialdom. Given the Hasani family's wishes and that we have not yet determined Hasani's wishes on the matter, Post does not recommend raising his case publicly. We will continue to seek opportunities for taking his temperature on this subject, though. In the short term, one possible strategy might be for Department or White House officials to discuss the case with Ambassador Imad Mustafa upon his return to the U.S. later in August. End Comment.
HUNTER